

NOTICE OF TEN-DAY SUSPENSION WITHOUT PAY

Engineer Matthew Bates
San Antonio Fire Department
315 S. Santa Rosa
San Antonio, Texas 78207

MAR12 '19 9:37AM

Fire Fighters' and Police Officers' Civil
Service Commission
111 Soledad, Suite 123
San Antonio, Texas 78205

CITY OF
SAN ANTONIO HR

Commissioners and Engineer Matt Bates:

Under and by the virtue of the authority vested in me by Chapter 143, Municipal Civil Service, Subtitle A, Title 5, V.T.C.A. Local Government Code, I do hereby suspend Engineer Matthew Bates from the San Antonio Fire Department without pay for a period of ten days. Said suspension shall be served on consecutive calendar days beginning on the 13TH day of MARCH, 2019.

Engineer Matthew Bates has violated Subsection C of Rule XIII of the City of San Antonio Fire Fighters and Police Officers Civil Service Commission Rules which were adopted on February 23, 1998, by the Fire and Police Civil Service Commission as the Civil Service Rules for the Fire and Police Departments of the City of San Antonio. The particular civil service rules violated by Engineer Matthew Bates and which are grounds for suspension are as follows:

Rule XIII, Subsection C(12): Violation of an applicable fire or police department rule, or special order.

The Rules and Regulations of the San Antonio Fire Department which Engineer Matt Bates has violated were those approved by the Firemen's and Policemen's Civil Service Commission on February 10, 2003, to be effective March 7, 2003. The particular rules thereof which Engineer Matthew Bates has violated are as follows:

2.02 ABIDE BY LAWS AND DEPARTMENTAL ORDERS:

B. ORDERS, RULES, REGULATIONS, DIRECTIVES, POLICIES AND PROCEDURES: Members shall abide by the Rules and Regulations, Departmental roles and responsibilities, administrative orders, directives, policies and procedures of the San Antonio Fire Department.

3.01 CONDUCT AND BEHAVIOR: Members, whether on-duty or off-duty, shall be governed by the ordinary and reasonable rules of good conduct and behavior, and shall not commit any act tending to bring reproach or discredit on themselves or the Department.

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3.04 COURTESY: Members shall be courteous, civil, and respectful to their supervisory officers and associates, and shall not use threatening or insulting language, whether on or off-duty.

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4.08 INAPPROPRIATE BEHAVIOR: Gambling, fighting, offensive language, offensive behavior and/or belligerent or quarrelsome conduct, is strictly prohibited.

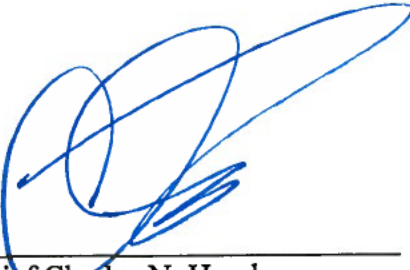
The acts committed by Engineer Matthew Bates which violated the aforementioned Civil Service Rules and Fire Department Rules are as follows:

On October 30, 2018, Engineer Matthew Bates' Battalion Chief assigned him as acting Lieutenant. While on duty and listening to a fire call, Engineer Bates made vulgar and inappropriate statements to his crew. Engineer Bates' statements were also heard by others. Engineer Bates' actions tend to bring reproach upon himself and the San Antonio Fire Department.

Engineer Matthew Bates' violation of the cited rules is the basis for these charges and the reason for his ten day suspension without pay.

In determining the appropriate punishment to assess herein, please be advised that consideration was given to Engineer Matthew Bates' disciplinary record.

An original of this disciplinary suspension order is being filed with the Fire Fighters' and Police Officers' Civil Service Commission.



Fire Chief Charles N. Hood

03/11/19
Date

0900
Time

NOTICE OF RIGHT OF APPEAL

I hereby acknowledge receipt of a copy of the foregoing ten day suspension without pay and further acknowledge that I have been notified that I have ten days to file a written appeal of this suspension with the Fire Fighters' and Police Officers' Civil Service Commission for hearing before the Commission or an independent third party hearing examiner. I also understand that if I appeal to the hearing examiner, I waive all rights of appeal to a District Court, except as provided by subsection (j) of Section 143.057 of Title 5, V.T.C.A. Local Government Code.

Matthew T. Bates
Engineer Matthew Bates

3-11-19
Date

11:11
Time

WITNESSED BY:

Valerie Faurst
Signature

3-11-19
Date

11:12 AM
Time

FILED on this the 12 day of March, 2019, with the
Fire Fighters' and Police Officers' Civil Service Commission.

for Susan Drees
Director, Fire Fighters' and Police
Officers' Civil Service Commission

LEAVE FORFEITURE FOR SUSPENSION REQUEST

Name: Matthew Bates

Rank: Fire Engineer SAP No.: [REDACTED]

Length of Suspension: Ten (10) days Date Issued: MAR 11, 2019

I acknowledge that Section 2 of Article 27 of the collective bargaining agreement provides that (1) an employee may only forfeit leave in lieu of serving a disciplinary suspension where the suspension is agreed to by the employee and (2) no appeal to the civil service commission or to arbitration may be instituted on suspensions where an employee has forfeited leave.

I hereby agree to the above-referenced disciplinary suspension and request to forfeit leave in lieu of serving said suspension.

Leave Forfeited:

6 Vacation Amount: 48 Hours

 Holiday Amount:

PAY BACK DATES: MARCH 17, MARCH 20

Matthew T. Bates
Employee's Signature

3-11-19
Date

Approved/Denied
[Signature]
Fire Chief

3/11/2019
Date

MAR12 '19 9:40AM

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